GENERAL PERMIT FOR ROAD CROSSINGS

Construction of road crossings of waters where the total length of stream encapsulation is 200 linear feet or less is hereby permitted provided the activity is done in accordance with the terms and conditions below.

Exclusions

This general permit cannot be used to authorize work in the following circumstances:

(a) where the proposed activity will adversely affect wetlands;

(b) when the total length of stream encapsulation is more than 200 feet;

(c) where a portion of the proposed activity is located in a component of the National Wild and Scenic River System, a State Scenic River, or waters designated as Outstanding National Resource Waters;

(d) when a portion of the proposed activity is located in any waterway which is identified by the Department as having contaminated sediments, and where the proposed work will likely mobilize the contaminants;

(e) when the project will adversely affect a species formally listed on State or Federal lists of threatened, or endangered species; or

(f) when an individual permit is required.

Projects not qualifying for authorization by this general permit may be authorized by individual permit provided all requirements of the *Tennessee Water Quality Control Act of 1977* are met.

Notification

1) Where the total width of fill or disturbance to the stream channel for construction of the road crossing is less than 25 feet, notification to the Division is required prior to commencing construction in accordance with this general permit. Work may commence without written authorization from the Division. However it is the applicant's responsibility to assure that all of the terms and conditions of this general permit are met.

2) Persons proposing to construct a minor road crossing in waters of State where the total width of fill or disturbance to the stream channel is greater than 25 feet shall notify the Division by submission of an application which includes the following minimum information:

   (a) a map showing the exact location of the proposed construction site; and

   (b) a single copy of construction plans which includes specifications for proposed stream channel alterations and pollution control methods or structures.

   Stream alteration activities shall not commence until the Division issues written notification that the proposal may proceed in accordance with the terms of this general permit or issues an individual permit.

General Terms and Conditions

1) Only clean rock may be placed directly into waters. Clean rock is rock of various type and size, depending upon application, that contains no fines, soils, or other wastes or contaminants. Other fill materials to be discharged below ordinary high water must be free of fines, sediment, soil, pollutants, contaminants, toxic materials, trash, or other waste materials.

2) The width of the fill associated with the crossing shall be limited to the minimum necessary for the actual crossing.

3) Excavation and fill activities shall be separated from flowing waters. All surface water flowing toward the excavation or fill work shall be diverted through utilization of cofferdams, berms, or temporary channels. Temporary diversion channels must be protected by non-erodible material and lined to the expected high water level. Cofferdams must be constructed of sandbags, clean rock, steel sheeting or other non-erodible material. Clean rock is rock of various type and size, depending upon application, that contains no fines, soils, or other wastes or contaminants.

4) The crossing shall be culverted, bridged or otherwise designed to prevent the impoundment of normal or base flows. Base flow is that usual or normal flow of the stream that is supplied primarily by groundwater from springs and seeps, but not affected by rapid runoff during and after rainfall.

5) The crossing shall be designed and constructed so as not to disrupt the movement of aquatic life. Where practicable, the bottom of culverts should be constructed below the stream bed level, with natural substrate placed over the culvert bottom following construction.

6) Soil materials must be prevented from entering waters of the state. Erosion and sedimentation control measures to protect water quality must be maintained throughout the construction period. Erosion and sedimentation controls shall include, but are not limited to straw or hay bales and/or silt fence, brush barriers, berms, sediment ponds and other proven devices. Hay bales and/or silt fence must be installed along the base of all fills and cuts, on the down hill side of stock piled soil, and along stream banks in cleared areas to prevent sedimentation to streams. They must be installed on the contour, entrenched and staked, and extend the width of the area to be cleared. Erosion and sedimentation controls must be repaired, if necessary, after rainfall.

7) Instream sedimentation control devices are not approved as primary treatment devices. They may be used only as backup or fail-safe protection. Separate erosion and sedimentation controls and sediment treatment devices must be utilized.

8) Slurry water pumped from work areas and excavations must be held in settling basins or treated by filtration prior to its discharge into surface waters. Water must be held in settling basins until at least as clear as the receiving waters. Settling basins shall not be located closer than 20 feet from the top bank of a stream. Settling basins and traps shall be properly designed according to the size of the drainage areas or volume of water to be treated.

9) Check dams shall be utilized where runoff is concentrated. Clean rock, log, sandbag, or straw bale check dams shall be properly constructed to detain runoff and trap sediment. Clean rock is rock of various type and size, depending upon application, that contains no fines, soils, or other wastes or contaminants.

10) Clearing, grubbing and other disturbance to riparian vegetation shall be limited to the minimum necessary for slope construction and equipment operations. Unnecessary vegetation removal is prohibited. All disturbed areas shall be properly stabilized as soon as practicable.

11) Streams shall not be used as transportation routes for heavy equipment. Crossings must be limited to one point and erosion control measures must be utilized where the stream banks are disturbed. Where the streambed is not composed of rock, a pad of clean rock must be used at the crossing point. Clean rock is rock of various type and size, depending upon application, that contains no fines, soils, or other wastes or contaminants. All temporary fill must be completely removed after the work is completed.

12) Construction debris must be kept from entering the stream channel.

13) Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the state. All spills must be reported to the appropriate emergency management agency, and measures shall be taken immediately to prevent the pollution of waters of the state, including groundwater.

14) Upon achievement of final grade, all disturbed areas must be stabilized and re-vegetated within 30 days by sodding or seeding and mulching. Seed to be utilized shall include a combination of annual grains and grasses, legumes, and perennial grasses. Lime and fertilizer shall be applied as needed to achieve a vegetative cover.

15) The project should be consistent with all applicable local floodplain regulations. The applicant should contact local government officials to determine what these regulations are at a particular location.

16) Adverse impact to formally listed state or federal threatened or endangered species or their critical habitat, or to cultural, historical, or archeological features or sites is prohibited.

Effective Date July 1, 2000 APPROVED: _____

Expiration Date	June 30, 2005	Paul Davis, Director